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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,)	CASE NO. CR 17-00356 EMC
13)	
14 Plaintiff,)	[PROPOSED] ORDER AND
15 v.)	STIPULATION TO CONTINUE AND EXCLUDE
16)	TIME FROM THE SPEEDY TRIAL ACT
17 VICENTE CRUZ and ETEVATI LEVI,)	CALCULATION
)	
18 Defendant.)	
)	

19 **STIPULATION**

20 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

21 1. The parties, defendant Vicente Cruz and the Government, appeared before the Court on
22 August 16, 2017 at 2:30 p.m. for a status conference. Defendant Vicente Cruz, represented by Ruben
23 Munoz, was present and in custody. Assistant United States Attorney Karen Kreuzkamp appeared for
24 the Government. The Court, after hearing the status in this case, scheduled a further status hearing for
25 September 27, 2017, the date proposed by counsel.

26 2. The Court so scheduled the status hearing with the understanding that the parties would
27 submit a Stipulation and Proposed Order excluding time.
28

3. The parties now formalize their request for a continuance of this matter to September 27, 2017 at 2:30 p.m. for a further status hearing, and respectfully submit and agree that the period from August 16, 2017 through and including September 27, 2017 should be excluded from the otherwise applicable Speedy Trial Act computation because the continuance is necessary for effective preparation of counsel, taking into account the exercise of due diligence. Specifically, the time requested for exclusion will allow counsel for the defendants to review the discovery in this case.

IT IS SO STIPULATED.

DATED: August 17, 2017

BRIAN J. STRETCH
United States Attorney

/s/
KAREN KREUZKAMP
Assistant United States Attorney

DATED: August 17, 2017

/s/
 RUBEN MUNOZ
 Counsel for the Defendant

[PROPOSED] ORDER

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting a continuance from August 16, 2017 through and including September 27, 2017 outweigh the best interest of the public and the defendant, Vicente Cruz, in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant, Vicente Cruz, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, THE COURT ORDERS THAT:

1. The parties shall appear before the Court on Wednesday, September 27, 2017 at 2:30

1 p.m. for a status conference.

2 2. The period from August 16, 2017 through and including September 27, 2017 is excluded
3 from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) &
4 (B)(iv).

5
6 IT IS SO ORDERED.

7
8 DATED: 8/22/17

